

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Sprint Docket No. 1732)

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AUG 11 2004

OFFICE OF PETITIONS

In re the Application of:

Kevin Packingham et al.

Serial No.: 09/964,099

Filed: September 26, 2001

For: Method and System for Consolidated
Message Notification in a Voice
Command Platform



Group Art Unit 2645

Confirmation No. 3001

Examiner: Gerald Gauthier

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

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Technology Center 2600

TRANSMITTAL LETTER

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - A. Petition to Withdraw Holding of Abandonment with Exhibit A; and
 - B. Return Receipt Postcard.
2. With respect to additional fees, no additional fee is required.
3. Please charge any additional fees or credit overpayment to Deposit Account No. 210765. A duplicate copy of this sheet is enclosed.
4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.10:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee," in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 6th day of August, 2004. Express Mail No. EV334691436US

By:

Lawrence H. Aaronson
Reg. No. 35,818

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P.O. Box 1450
Alexandria, Virginia 22313

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

Applicant hereby requests withdrawal of the Examiner's holding of abandonment of this patent application, on grounds that Applicant (and Applicant's representative) did not receive the Office Action that the Patent Office mailed October 24, 2003.

A search of the file jacket and docket records for this case indicates that the Office Action was not received. Further, attached as Exhibit A is a docket-report showing all of the Office Actions docketed by the Sprint Legal Department for a date three months from the mail date of the non-received Office Action. (The report shows all of the Office Actions with PTO mailing

dates between October 16, 2003 and October 29, 2003, having response due dates that fall within the following six month period.)

Applicant's representative first learned about this situation when the Examiner called Applicant's representative on July 29, 2004, to inquire about the status of the application. This petition is timely, as it is being filed within two months of when Applicant first received notice that the Patent Office mailed the non-received Office Action.

Upon withdrawal of holding of abandonment of this application, Applicant requests the Office to re-mail the non-received Office Action, so as to re-start the response period from the new mailing date, and to allow Applicant to respond to the Office Action.

Should the Office have any questions, the Office is invited to call the undersigned at (312) 913-2141.

Respectfully submitted,

Date: August 6, 2004

By:

A handwritten signature in black ink, appearing to read "Lawrence H. Aaronson", written over a horizontal line.

Lawrence H. Aaronson
Reg. No. 35,818

actions due

Case Number	SubCase	Attorney1	Attorney2	PTO/Base Date	Due Date	Date Taken	Action Type	Action Due	Indicator
2113		KDR	MG	16-Oct-2003	16-Jan-2004	15-Jan-2004	US-3 Month Office Action	3 Month Due Date	Due Date
2113		KDR	MG	16-Oct-2003	31-Mar-2004	15-Jan-2004	US-3 Month Office Action	2 Weeks to Final Date	Due Date
2113		KDR	MG	16-Oct-2003	16-Apr-2004	15-Jan-2004	US-3 Month Office Action	6 Month Final	Final
1751		HRB	LHA	22-Oct-2003	22-Jan-2004	22-Jan-2004	US-3 Month Office Action	3 Month Due Date	Due Date
1515		SJF	LHA	22-Oct-2003	22-Jan-2004	12-Jan-2004	US-3 Month Office Action	3 Month Due Date	Due Date
1443		HRB	MJS	22-Oct-2003	22-Jan-2004	12-Jan-2004	US-3 Month Office Action	3 Month Due Date	Due Date
1751		HRB	LHA	22-Oct-2003	06-Apr-2004	22-Jan-2004	US-3 Month Office Action	2 Weeks to Final Date	Due Date
1515		SJF	LHA	22-Oct-2003	06-Apr-2004	12-Jan-2004	US-3 Month Office Action	2 Weeks to Final Date	Due Date
1443		HRB	MJS	22-Oct-2003	06-Apr-2004	12-Jan-2004	US-3 Month Office Action	2 Weeks to Final Date	Due Date
1443		HRB	MJS	22-Oct-2003	22-Apr-2004	12-Jan-2004	US-3 Month Office Action	6 Month Final	Final
1751		HRB	LHA	22-Oct-2003	22-Apr-2004	22-Jan-2004	US-3 Month Office Action	6 Month Final	Final
1515		SJF	LHA	22-Oct-2003	22-Apr-2004	12-Jan-2004	US-3 Month Office Action	6 Month Final	Final
1686		HRB	TBL	23-Oct-2003	23-Jan-2004	09-Dec-2003	US-Final Office Action	3 Month Due Date	Due Date
1305		KDR	MJS	23-Oct-2003	23-Jan-2004	21-Jan-2004	US-3 Month Office Action	3 Month Due Date	Due Date
1305		KDR	MJS	23-Oct-2003	07-Apr-2004	21-Jan-2004	US-3 Month Office Action	2 Weeks to Final Date	Due Date
1686		HRB	TBL	23-Oct-2003	07-Apr-2004	09-Dec-2003	US-Final Office Action	2 Weeks to Final Date	Due Date
1686		HRB	TBL	23-Oct-2003	23-Apr-2004	09-Dec-2003	US-Final Office Action	6 Month Final	Due Date
1305		KDR	MJS	23-Oct-2003	23-Apr-2004	09-Dec-2003	US-Final Office Action	6 Month Final	Final
1231	b	KDR	MJS	28-Oct-2003	28-Jan-2004	21-Jan-2004	US-3 Month Office Action	6 Month Final	Final
1231	b	KDR	MJS	28-Oct-2003	12-Apr-2004	12-Jan-2004	US-3 Month Office Action	3 Month Due Date	Due Date
1231	b	KDR	MJS	28-Oct-2003	28-Apr-2004	12-Jan-2004	US-3 Month Office Action	2 Weeks to Final Date	Due Date
1425		HRB	RC	29-Oct-2003	29-Jan-2004	26-Jan-2004	US-3 Month Office Action	6 Month Final	Final
1425		HRB	RC	29-Oct-2003	13-Apr-2004	26-Jan-2004	US-3 Month Office Action	3 Month Due Date	Due Date
1425		HRB	RC	29-Oct-2003	29-Apr-2004	26-Jan-2004	US-3 Month Office Action	2 Weeks to Final Date	Due Date
1425		HRB	RC	29-Oct-2003	29-Apr-2004	26-Jan-2004	US-3 Month Office Action	6 Month Final	Final